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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/700,401	02/26/2001	Wilhelm F. Maier	STUDIEN 277	3610

7590

11/08/2002

Norris McLaughlin & Marcus  
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New York, NY 10017

EXAMINER

BAKER, MAURIE GARCIA

ART UNIT

PAPER NUMBER

1639

DATE MAILED: 11/08/2002

Please find below and/or attached an Office communication concerning this application or proceeding.



**UNITED STATES DEPARTMENT OF COMMERCE**  
**Patent and Trademark Office**  
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SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
09/700,401	02/26/01	MAIER	STUDIEN 227

EXAMINER	
Maurie Garcia Baker, Ph.D.	
ART UNIT	PAPER NUMBER
1639	11

DATE MAILED:

**Please find below a communication from the EXAMINER in charge of this application**

Commissioner of Patents

Please see attached Notice of Non-Responsive Amendment.

### DETAILED ACTION

**Please note:** The number of Art Unit 1627 has been changed to 1639. Please direct all correspondence for this case to **Art Unit 1639**.

#### *Notice of Non-Responsive Amendment*

1. The Response filed on August 29, 2002 is not fully responsive to the prior Office Action (Restriction Requirement) because of the following omission(s) or matter(s):

In the Restriction Requirement, applicant was required to elect species. Although an election was indicated in the Response, this election is not responsive because applicant's species election does **not** meet the requirements set forth in the Restriction Requirement. Paragraphs 2 and 3 of that action are reiterated below:

2. *The species are as follows:*

*Species 1: Type of "materials library"*

*Species 2: Type of solids (comprising the library)*

*Species 3: Type of reaction mixtures/compositions*

*Species 4: Type of "reactor bottom plate" (see, e.g. claim 7)*

3. *Applicant is required, in reply to this action, to elect a single species (for each of the above) to which the claims shall be restricted if no generic claim is finally held to be allowable. The reply must also identify the claims readable on the elected species, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered non-responsive unless accompanied by an election.*

2. As stated in the previous action, applicant is required to elect **a single species for each** of the above. That is, applicant must elect the *Type of "materials library"* **and** the *Type of solids (comprising the library)* **and** the *Type of reaction mixtures/compositions*

**and** the *Type of "reactor bottom plate"*. Thus, to be fully responsive, *each* of the four entities above must be defined.

3. Since the above-mentioned amendment (Response) appears to be a *bona fide* attempt to reply, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS, whichever is longer, from the mailing date of this notice within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD UNDER 37 CFR 1.136(a) ARE AVAILABLE.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Maurie Garcia Baker, Ph.D. whose telephone number is (703) 308-0065. The examiner can normally be reached on Monday-Thursday from 9:30 to 7:00 and alternate Fridays.

5. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew J. Wang, can be reached on (703) 306-3217. The fax phone number for the organization where this application or proceeding is assigned is (703) 308-4242. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0196.

Maurie Garcia Baker, Ph.D.  
November 7, 2002



MAURIE GARCIA BAKER, Ph.D.  
PATENT EXAMINER